

January 26, 2012

The Honorable Lance Kinzer, Chairperson
House Committee on Judiciary
Statehouse, Room 165-W
Topeka, Kansas 66612

Dear Representative Kinzer:

SUBJECT: Fiscal Note for HB 2473 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2473 is respectfully submitted to your committee.

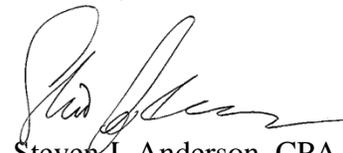
HB 2473 would amend current law regarding civil procedure related to pleadings and discovery. The bill would remove the requirement that a pleading party must affirmatively state any avoidance or affirmative defense for discharges in bankruptcy. The bill would also include trial preparation protection for draft disclosures and communications between a party's attorney and expert witnesses. The protection would apply to communications that:

1. Relate to compensation for the expert's study or testimony;
2. Identify facts or data that the party's attorney provided and that the expert considered in forming the opinions to be expressed; and
3. Identify assumptions that the party's attorney provided and that the expert relied on in forming the opinions to be expressed.

The bill would also make technical corrections so that current law would conform to the proposed changes.

According to the Office of Judicial Administration, passage of HB 2473 would have no fiscal effect.

Sincerely,



Steven J. Anderson, CPA, MBA
Director of the Budget

cc: Mary Rinehart, Judiciary